

Casted, K.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

RICK HARRISON, JOHN BUCKLEY III,
MARGARET LOPEZ, ANDY LOPEZ,
KEITH LORENSEN, LISA LORENSEN,
EDWARDS LOVE, ROBERT MCTUREOUS,
DAVID MORALES, GINA MORRIS,
MARTIN SONGER, JR., SHELLY SONGER,
JEREMY STEWARD, KESHA STIDHAM,
AARON TONEY, ERIC WILLIAMS, CARL
WINGATE, AND TRACY SMITH, as Personal
Representative of the Estate of Rubin Smith,

Plaintiffs,

vs.

THE REPUBLIC OF SUDAN,

Defendant,

vs.

BANCO DO BRASIL, S.A. New York Branch,

Respondent.

Case No. 1:13-cv-03127 (PKC)

STIPULATION FOR TURNOVER OF
PROPERTY

AND NOW, this 17 day of April 2014, Plaintiffs, Rick Harrison, John Buckley III, Margaret Lopez, Andy Lopez, Keith Lorensen, Lisa Lorensen, Edwards Love, Robert McTureous, David Morales, Gina Morris, Martin Songer, Jr., Shelly Songer, Jeremy Steward, Kesha Stidham, Aaron Toney, Eric Williams, Carl Wingate, and Tracy Smith, as Personal Representative of the Estate of Rubin Smith ("Plaintiffs" or "Petitioners"), and Respondent Banco do Brasil, S.A., New York Branch ("Respondent"), stipulate and agree as follows:

1. Plaintiffs are judgment creditors pursuant to an Order and Judgment entered March 30, 2012 against the Republic of Sudan pursuant to 28 U.S.C. 1605A and 28 U.S.C. 1608(e) in the amount of \$314,705,896.

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2. On March 13, 2014, Plaintiffs served Respondent with a Summons, Notice of Petition and Omnibus Petition for Turnover directed to certain blocked accounts maintained by Respondent in which the Republic of Sudan has an interest.

3. Respondent has in its custody the sums listed below, totaling \$746.91, plus accrued interest, held in the below designated accounts (the "Accounts"), wherein the Republic of Sudan has an interest:

- a. \$[REDACTED]; and
- b. \$[REDACTED].

4. The Accounts were blocked pursuant to the Sudanese Sanctions Regulations, 31 C.F.R. Part 538.

5. Respondent represents that it has identified all accounts in its custody in which the Republic of Sudan or its agencies or instrumentalities have an interest. Plaintiffs represent that they are seeking turnover only of the Accounts, without prejudice to Plaintiffs' right to seek turnover of additional accounts which may become blocked by virtue of the Sudanese Sanctions Regulations after the date of this Stipulation (the "Additional Accounts"). Respondent reserves the right to contest turnover of the Additional Accounts.

6. In accordance with Section 201(a) of the Terrorism Risk Insurance Act ("TRIA"), 28 U.S.C. 1610 note, and 28 U.S.C. § 1610(g), Plaintiffs may execute on blocked Sudanese property in the custody of financial institutions.

7. Within ten (10) days from the date this Stipulation is executed by the Court, Respondent will turn over to Plaintiff's counsel the proceeds of the said Accounts in the total amount of \$[REDACTED], plus accrued interest, in partial satisfaction of the said Judgment pursuant to TRIA and the FSIA.

8. Upon the turnover of the proceeds, Petitioners will voluntarily dismiss Respondent from the pending Omnibus Petition for Turnover.

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SO ORDERED:


United States District Judge

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